

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U 902-E) for an Order Implementing Assembly Bill 265.

Application 00-10-045
(Filed October 24, 2000)

Application of San Diego Gas & Electric Company (U 902-E) for Authority to Implement an Electric Rate Surcharge to Manage the Balance in the Energy Rate Ceiling Revenue Shortfall Account.

Application 01-01-044
(Filed January 24, 2001)

ASSIGNED COMMISSIONER'S RULING ESTABLISHING A SCHEDULE FOR CONSIDERATION OF A PROPOSED SETTLEMENT SUBMITTED BY SAN DIEGO GAS & ELECTRIC COMPANY ON JUNE 14, 2002

On June 14, 2002, San Diego Gas & Electric Company (SDG&E) distributed to all parties a cover letter and document which it characterizes as a proposed settlement of federal court litigation filed by SDG&E against the Commission entitled, *SDG&E v. Loretta Lynch, et al.*, United States District Court for the Southern District of California, Case Number 02CV339 BTM (LAB). To ensure that all parties have received these documents, they are also attached to this ruling. If approved by the Commission, the proposed settlement agreement would, among other things, resolve the status of certain power purchase agreements entered into by SDG&E in late 1996 and early 1997 (referred to as the Intermediate Term Contracts). These Intermediate Term Contracts are also addressed in this consolidated proceeding.

No later than July 8, 2002, any party wishing to do so may file in this Docket, and serve on all parties, comments on the attached documents.

In its cover letter accompanying the proposal stipulation, SDG&E asserted its opinion that all communications relate to the proposed stipulation should be treated as confidential. Communications with the General Counsel related to potential resolution of federal litigation and communications with parties to this proceeding concerning the proposed stipulation shall be treated as confidential under Rule 51.9. However, any substantive communications with decisionmakers concerning issues pending in this proceeding are covered by the commission's ex parte rules and related statutes, and must be reported.

Therefore, good cause appearing, **IT IS RULED** that:

1. Any party desiring to comment on the attached Settlement Agreement shall file and serve those comments on the parties to this consolidated proceeding and on all Commissioners not later than July 8, 2002.
2. No later than June 20, 2002, SDG&E shall file ex parte notices for any communications it may have had with decisionmakers concerning substantive issues pending in this proceeding.
3. Hearings in this matter will commence on June 24, 2002, as previously scheduled.

Dated June 18, 2002, at San Francisco, California.

/s/CARL WOOD
Carl Wood
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail and by electronic mail on this day served a true copy of the original attached *ASSIGNED COMMISSIONER'S RULING ESTABLISHING A SCHEDULE FOR CONSIDERATION OF A PROPOSED SETTLEMENT SUBMITTED BY SAN DIEGO GAS & ELECTRIC COMPANY ON JUNE 14, 2002* on all parties of record in this proceeding or their attorneys of record. In addition, service was also performed by electronic mail.

Dated June 18, 2002, at San Francisco, California.

/s/ SUSIE TOY

Susie Toy

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.